

SENATE BILL NO. 405

INTRODUCED BY BALES

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT UNTIL ~~POPULATION TARGETS~~
POPULATIONS FOR ELK AND MULE DEER ARE ~~MET~~ BROUGHT BELOW MAXIMUM POPULATION
TARGETS IN 80 PERCENT OF ALL HUNTING DISTRICTS IN THE STATE, THE PORTION OF HUNTING
LICENSE FEES USED FOR FUNDING WILDLIFE HABITAT MUST BE USED TO SECURE LEASES THAT
PROVIDE HUNTING ACCESS TO WILDLIFE HABITAT AND TO SECURE PUBLIC ACCESS TO PRIVATE
AND PUBLIC LANDS FOR HUNTING PURPOSES UNDER THE HUNTER MANAGEMENT AND HUNTING
ACCESS ENHANCEMENT PROGRAMS; AMENDING SECTIONS 87-1-242 AND 87-1-270, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 87-1-242, MCA, is amended to read:

"87-1-242. (Temporary) Funding for wildlife habitat. (1) The amount of money specified in this subsection from the sale of each hunting license or permit listed must be used exclusively by the commission to secure, develop, and maintain wildlife habitat, subject to appropriation by the legislature:

- (a) Class B-10, nonresident combination, \$77;
- (b) Nonresident antelope, \$20;
- (c) Nonresident moose, \$20;
- (d) Nonresident mountain goat, \$20;
- (e) Nonresident mountain sheep, \$20;
- (f) Class D-1, nonresident mountain lion, \$20;
- (g) Nonresident black bear, \$20;
- (h) Nonresident wild turkey, \$10;
- (i) Class AAA, combination sports, \$7;
- (j) Class B-11 nonresident deer combination, \$200.

(2) Twenty percent of any increase in the fee for the Class B-7 license or any license or permit listed in subsection (1), except outfitter-sponsored Class B-10 and Class B-11 licenses subject to variable pricing

under 87-1-268, must be allocated for use as provided in subsection (1).

(3) ~~Eighty percent~~ Until population targets POPULATIONS for elk and mule deer are met BROUGHT BELOW MAXIMUM POPULATION TARGETS in 80% of all hunting districts in the state, 80% of the money allocated by this section, together with the interest and income from the money, must be used to secure leases that provide hunting access to wildlife habitat pursuant to 87-1-209 [and to secure public access to private and public lands for hunting purposes under the hunter management and hunting access enhancement programs in 87-1-265 through 87-1-267].

(4) Twenty percent of the money allocated by this section must be used as follows:

(a) up to 50% a year may be used for development and maintenance of real property used for wildlife habitat; and

(b) the remainder and any money not allocated for development and maintenance under subsection (4)(a) by the end of each odd-numbered fiscal year must be credited to the account created by 87-1-601(5) for use in the manner prescribed for the development and maintenance of real property used for wildlife habitat. (Terminates March 1, 2006--secs. 1, 2, Ch. 241, L. 1993; sec. 6, Ch. 544, L. 1999.)"

Section 2. Section 87-1-270, MCA, is amended to read:

"87-1-270. (Temporary) Allocation of license fees to hunting access enhancement program. (1)

The amount of \$55 from the sale of each Class B-1 nonresident upland game bird license must be used by the department to encourage public access to private lands for hunting purposes in accordance with 87-1-265 through 87-1-267.

(2) The resident hunting access enhancement fee in 87-2-202(3)(c) and the nonresident hunting access enhancement fee in 87-2-202(3)(d) must be used by the department to encourage public access to private and public lands for hunting purposes in accordance with 87-1-265 through 87-1-267.

(3) Money allocated under 87-1-242(3) that is not used to secure leases that provide hunting access to wildlife habitat pursuant to 87-1-209 must be used by the department to encourage public access to private and public lands for hunting purposes in accordance with 87-1-265 through 87-1-267. (Terminates March 1, 2006--sec. 8, Ch. 544, L. 1999; sec. 9, Ch. 216, L. 2001.)"

COORDINATION SECTION. **Section 3. Coordination instruction.** (1) If House Bill No. 79 is not passed and approved, then [this act] is void.

1 (2) If Senate Bill No. 77 is not passed and approved, then [the bracketed language in section 1(3) of this
2 act] and [section 2 of this act] are void.

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4 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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